

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CR. NO. 17-20595

v.

HON. MARIANNE O. BATTANI

YOUSSEF RAMADAN,

Defendant.

DEFENDANT'S MOTION TO ADJOURN TRIAL DATES

NOW COMES Defendant, YOUSSEF RAMADAN, by counsel, ANDREW DENSEMO, of the Federal Community Defender Office, and moves this Honorable Court to adjourn the previously scheduled trial dates. In support of his motion, defendant states the following.

1. A trial in this cause has been previously set for September 3, 2019.
2. Mr. Ramadan has been detained at the Milan Federal Detention Center for the past several months.
3. For the past two to three months, Mr. Ramadan has been denied adequate access to the law library at the detention center.
4. As a result of being denied access to the law library, Mr. Ramadan has been unable to review electronic discovery, as it is kept in the law library. Additionally, he has not been able to conduct research regarding the charges, which

would enable him to consult with his attorney, which has in turn negatively impacted his ability to properly defend against these charges and to receive the best defense available to him. Mr. Ramadan has not been able to properly prepare for the upcoming trial, and as a result has not been able to assist his attorney in preparing for trial.

5. An adjournment of all of the previously scheduled trial dates is needed in order for defense counsel to provide effective assistance of counsel to Mr. Ramadan and for Mr. Ramadan's right to due process of law to be preserved.

6. The defense has exercised due diligence in bringing this matter to the court's attention in that Mr. Ramadan advised and sought the court's assistance in gaining reasonable access to the law library at the detention center. The court even instructed the U.S. Marshals' Service to look into the matter at the last scheduled hearing. Mr. Ramadan's repeated demands for access to the law library have been summarily rejected and ignored by the officials at the detention center. Denial of access to the law library defeats his rights to due process, has rendered him unprepared for trial, and unable to assist his attorney in defending against these various serious charges. As a result, he has been forced to seek adjournment of the trial date.

7. We are therefore requesting an adjournment of the September 3, 2019, trial date so that defense counsel and Mr. Ramadan will have enough time to obtain and discuss the discovery materials, research and prepare trial motions, interview witnesses, review the physical evidence and scientific reports, and discuss trial strategy. The scheduled trial date will not give the defendant enough time within which to accomplish all of these objectives, given his inability to utilize the law library to review his discovery and conduct legal research. Given the hectic schedules of defense counsel and the Assistant U.S. Attorney, in addition to the numerous civil and criminal matters pending before the court, additional time is requested.

8. Defense Counsel advised the attorney for the government of the necessity of filing this motion, but has not received a response regarding concurrence or objection.

Respectfully submitted,

**FEDERAL COMMUNITY DEFENDER
EASTERN DISTRICT OF MICHIGAN**

s/Andrew Densemo

ANDREW DENSEMO (P37583)

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Dated: August 13, 2019

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**BRIEF IN SUPPORT OF
DEFENDANT'S MOTION TO ADJOURN TRIAL DATES**

The factual representation in support of this brief are outlined in the attached motion. Essentially, Counsel and the defendant need additional time to review the discovery, prepare trial motions, discuss the materials, interview witnesses, review the evidence, and prepare for trial. Section 3161(h)(8)(B)(i)(iv) of title 18 of the United States Code provides for granting an adjournment in a case such as this where failure to grant the request would be likely to make continuation of such proceedings impossible or result in a miscarriage of justice or unreasonably deny the defendant or the Government continuity of counsel, or would deny counsel for the defendant or the attorney for the Government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. For the reasons herein, Defendant request that this Honorable Court enter an order adjourning trial date of September 3, 2019, to another date and time.

Respectfully submitted,

**FEDERAL COMMUNITY DEFENDER
EASTERN DISTRICT OF MICHIGAN**

s/Andrew Densemo

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CERTIFICATE SERVICE

I hereby certify that on August 13, 2019, I electronically filed the foregoing Motion with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

BENJAMIN COATS and DOUG SALZENSTEIN
Assistant U.S. Attorneys
211 W. Fort Street, Ste. 2300
Detroit, Michigan 48226

**FEDERAL COMMUNITY DEFENDER
EASTERN DISTRICT OF MICHIGAN**

s/Andrew Densemo

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